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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 CHARLES STRAIN,

12 Plaintiff,

2:05-cv-0474-GEB-GGH-P

13 vs.

14 R. SANDHAM, et al.,

15 Defendants.

ORDER

16 \_\_\_\_\_/  
17 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action  
18 seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate  
19 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

20 On January 23, 2009, the magistrate judge filed findings and recommendations  
21 herein which were served on all parties and which contained notice to all parties that any  
22 objections to the findings and recommendations were to be filed within twenty days. Defendants  
23 have filed objections to the findings and recommendations.

24 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule  
25 72-304, this court has conducted a de novo review of this case. Having carefully reviewed the

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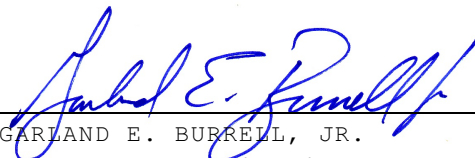
1 entire file, the court finds the findings and recommendations to be supported by the record and by  
2 proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The findings and recommendations filed January 23, 2009 are adopted in full;  
5 and

6 2. Defendants' motion for summary judgment, filed on May 2, 2008 (Docket  
7 #111), is denied.

8 Dated: February 26, 2009

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11 GARLAND E. BURRELL, JR.  
United States District Judge